



**Liquor & Tobacco Advisory Board Agenda
Tuesday, October 19, 2021
6:00 P.M. – City Council Chambers, 2nd floor, City Hall
425 East State Street
Rockford, IL 61104
779-348-7163**

Present:

ZBA Members: Jennifer Spencer
Craig Sockwell
Jennifer Smith
Tom Fabiano
Maurice Redd

Absent: Dan Roszkowski
Kim Johnsen

Staff Megan McNeill – Assistant City Attorney
Darius Morrow – Land Use Planner
Scott Capovilla - Planning and Zoning Manager
Mike Rotolo- Fire Prevention Coordinator
Jeremy Carter - Traffic Engineer

Others: Renee Brass-Court Stenographer (Hansen Recording)
Bill Rose – Alderman
Tuffy Quinonez - Alderman
Applicants and Interested Parties

Scott Capovilla explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative will come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Liquor & Tobacco Advisory Board secretary and the stenographer

- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, October 25, 2021 at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, November 1, 2021. If the item is laid over at the LTAB meeting, the next meeting is **Tuesday, November 16, 2021**. If for any reason the item is laid over at the committee level or on the city council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 7:03 PM. A **MOTION** was made by Maurice Redd to **APPROVE** the September 21, 2021 meeting minutes. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 5-0.

21-LTAB-021

Applicant
Ward 1

6280 East State Street

Old Chicago Taproom II, LLC dba Old Chicago Pizza and Tap Room
The sale of liquor by the drink in conjunction with a restaurant with outdoor seating in a C-3, General Commercial District

Attorney Donovan Borvan and Devin Deddo, General Manager of Old Chicago, were present. Attorney Borvan stated Old Chicago has been in Rockford for more than 20 years and the new owner of the franchise purchased the entire Old Chicago chain in bankruptcy proceeding. They are seeking to get a liquor license in order to maintain operations at the Rockford location.

Attorney Megan McNeill asked if the applicant agrees to all the conditions. Attorney Borvan stated he has not seen the report. Attorney McNeill provided a copy to Attorney Borvan to preview. Attorney Borvan responded yes, they agree to the conditions.

Staff Recommendation was for approval. No objectors or interested parties were present.

A **MOTION** was made by Maurice Redd to **APPROVE** the application for the sale of liquor by the drink in conjunction with a restaurant with outdoor seating in a C-3, General Commercial District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 5-0.

Approval is based on the following conditions:

1. Must meet all applicable Building and Fire codes.
2. Must comply with all City of Rockford Liquor Codes.
3. Submittal of a site plan to include the outdoor seating area with the number of tables, chairs, and fencing for Staff review and approval.
4. The sale of liquor by the drink must be in conjunction with a restaurant per Exhibit E
5. The hours of operation are limited to 11:00 A.M. to 12:00 A.M. (midnight), Monday through Sunday.
6. Window display signage is limited to 20% of window area.
7. The restaurant shall not have a cover charge, dance floor or any DJs.

8. The restaurant shall not have any live entertainment.
9. The restaurant shall not operate as a nightclub.
10. The proposed use and facility is prohibited from having any video gaming terminals.
11. There shall not be temporary exterior signage.
12. The windows shall not be covered with bars or other devices that block the windows.
13. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
14. All outstanding general ordinance fines must be paid prior to the issuance of the license.
15. All conditions must be met prior to establishment of use.

21-LTAB-022

Applicant
Ward 14

4415 Harrison Avenue

Spider Sushi @ Harrison LLC dba Spider Sushi

The sale of beer and wine by the drink in conjunction with a restaurant in a C-3, General Commercial District

Attorney Victor Zamora was present along with the Applicant, Juana Salazar. Attorney Zamora stated he was here representing Spider Sushi @ Harrison LLC and Juana Salazar, the majority owner and manager of the business who is buying Spider Sushi location at Harrison and Alpine. Attorney Zamora stated that there are two locations but they are only buying the location on Harrison and Alpine. Their ultimate goal is to run this business as is and, to be consistent with existing operations, they are requesting a liquor license.

Attorney McNeill asked if Attorney Zamora's client agreed to the conditions listed in the staff recommendation. Attorney Zamora responded, yes they do.

Staff Recommendation was for approval of the sale of beer and wine by the drink. No objectors or interested parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the application for the sale of beer and wine by the drink in conjunction with a restaurant in a C-3, General Commercial District. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 5-0.

Approval is based on the following conditions:

1. Must meet all applicable Building and Fire codes.
2. Must comply with all City of Rockford Liquor Codes.
3. The sale of liquor by the drink must be in conjunction with a restaurant per Exhibit F.
4. Hours of operation are Monday through Thursday 11:00 A.M. to 7:00 P.M. and Friday through Sunday 11:00 A.M. to 9:00 P.M.
5. The proposed use shall not have a cover charge, dance floor, DJs, or live entertainment
6. The proposed use shall not operate as a nightclub.
7. The proposed use and facility is prohibited from having any video gaming terminals.
8. Window display signage is limited to 20% of window area.
9. The windows shall not be covered with bars or other devices that block the windows.
10. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
11. All outstanding general ordinance fines must be paid prior to the issuance of the license.

21-LTAB-023

Applicant
Ward 7

3707 Auburn Street

West Side Smokes / Mahmoud Sami Odeh dba West Side Smokes

The sale of tobacco products in conjunction with a tobacco shop in a C-3, General Commercial Zoning District

The Applicant, Mahmoud Odeh, was present along with Architect Rob Belles. Mr. Belles stated he is the architect and can address anything related to site and floor plans. Mr. Odeh explained that he does not see a problem with conditions 1-15. As for condition 10, he agrees that bars on the window is not inviting to customers nor do they look good but he would request shutters for after hours because it will bring safety, lower his insurance and protect his store and product from break ins.

Mr. Odeh explained that he does not see a problem with the condition for sale of rose tubes and airplane-sized bottles because it is only used for one thing only. Mr. Odeh did want to address condition 7. He said the large hookah pipes are part of the décor for the store and the minimum price is \$200. This will be a small part of the business with the majority being the tobacco sales with the remaining 20% being artwork, clothing, incense, etc. Mr. Odeh stated he just wants to request hookah pipes and he is comfortable with the other conditions as explained earlier.

Attorney Megan McNeill asked if the applicant agrees to all the conditions, other the ones he stated he had concerns with. Mr. Odeh responded yes, he agrees to the remaining conditions.

Craig Sockwell asked about the shutters. Mr. Odeh explained that they will be roll up gates only used after business hours and rolled up during business hours.

Tom Fabiano asked if the big hookah pipes could be used by several people. Mr. Odeh stated there are pipes that have multiple hoses but he wants the pipe that has one hose. He invested \$7,000 in wall cases to put an assortment of pipes and artwork.

Staff Recommendation was for approval. One interested party was present.

Nayelly Partee, speaking on behalf of the request, explained that she works for the Applicant and he has interesting ideas in that he will let local artists display and sell their work and keep the whole profit. Ms. Partee stated to lots of people are excited about this idea at this store and the community needs this opportunity.

Mr. Odeh stated he honestly likes to help people by doing something different and have community involvement such as allowing these artist sales.

Jennifer Spencer asked Staff how they felt about the shutters over the storefront at night.

Scott Capovilla explained that other businesses have asked for this same thing and as long as they are not doing it during business hours and it is at the end of business day, staff did not have an issue. Mr. Capovilla stated that the board has approved this in the past.

A **MOTION** was made by Maurice Redd to **APPROVE** the application for the sale of tobacco products in conjunction with a tobacco shop in a C-3, General Commercial Zoning District amending condition 10. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 5-0.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Tobacco Codes.
3. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit E.
4. Installation of landscaping per the submitted site plan shown as Exhibit D.
5. The hours of operation and days will be Sunday through Saturday 10:00 a.m. to 11:00 p.m.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
8. Window display signage is limited to 20% of window area.

9. There shall not be temporary exterior signage.
10. The windows shall not be covered with bars or other devices that block the windows during business hours.
11. The windows shall not be covered by a film.
12. Removal of abandoned phone booths.
13. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
14. All outstanding general ordinance fines must be paid prior to the issuance of the license.
15. All conditions must be met prior to establishment of use.

21-LTAB-024

Applicant
Ward 11

309 and 311 7th Street

Eclectic Event Planning LLC / Clareisa Schwartz dba Eclectic Event Planning
The sale of liquor by the drink in conjunction with an event space with video gaming in a C-4, Urban Mixed-Use Zoning District

Staff requested a Layover.

A **MOTION** was made by Jennifer Spencer to **LAYOVER** the sale of liquor by the drink in conjunction with an event space with video gaming in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

21-LTAB-025

Applicant
Ward 11

2233 Kishwaukee Street

Clean Fuel, Inc. dba Clean Fuel
The sale of packaged liquor and the sale of tobacco products in conjunction with a gas station and convenience store in an I-1, Light Industrial Zoning District and I-2, General Industrial Zoning District.

Job Joseph and Antony Jacob were present. Mr. Joseph explained they have an agreement to buy the business and need to add more products for the business.

Attorney McNeill asked if the Applicant agreed to the conditions listed in the staff recommendation. Mr. Joseph responded, yes they do.

Jennifer Smith asked if this is just going through new ownership. Mr. Joseph stated yes, they would be the new owners. Ms. Smith asked if there were currently any liquor sales there. Mr. Joseph answered no.

Staff Recommendation was for approval. No objectors or interested parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the application for the sale of packaged liquor and **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in an I-1, Light Industrial Zoning District and I-2, General Industrial Zoning District. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 5-0.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of liquor and tobacco products shall be limited to the interior site plan that was submitted Exhibit F.
4. The hours of operation shall be limited to Monday through Sunday 5:00 A.M. to 12:00 A.M. (Midnight).
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.

6. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
7. Window display signage is limited to 20% of window area.
8. There shall not be temporary exterior signage.
9. The windows shall not be covered with bars or other devices that block the windows.
10. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
11. All outstanding general ordinance fines must be paid prior to the issuance of the license.
12. All conditions must be met prior to establishment of use.

21-LTAB-026

Applicant
Ward 9

3135 North Rockton Avenue

Daniell Corporation / Bader Islam dba Conoco

The sale of packaged liquor and the sale of tobacco products in conjunction with a gas station, convenience store and auto mechanic shop in a C-2 Limited Commercial District

The Applicant, Bader Islam, was present. Mr. Islam explained that he is the owner of Daniell Corporation in Chicago and he is buying the Cononco gas station. Mr. Islam said the current location scans the identification of the customers, so that the liquor and tobacco will be sold to the right people and not minors. Mr. Islam explained that the current owner has done some improvements to the building and the site and he believes his business experience will not cause any issues to the community or anyone.

Attorney McNeill asked if the Applicant agreed to the conditions listed in the staff recommendation. Mr. Islam responded, yes he agrees.

Staff Recommendation was for approval. One interested party was present.

Alderman Bill Rose, speaking on behalf of the request, explained that gas station and the current owner has played a good part with some things going on by bringing things up to code and is proactive in everything he does. Alderman Rose stated the current owner had an issue with a tobacco sale to a minor and called him up to let him know what happened and how he would fix the problem. Alderman Rose stated he has had issues with other gas stations in his ward but the calls of service for this gas station are very low and have improved under the current owner. Alderman Rose stated he has been assured that the new owner will continue the same kind of service and he is 100 percent in agreement that they can move forward.

A **MOTION** was made by Jennifer Spencer to **APPROVE** the application for the sale of packaged liquor and **APPROVE** the application for the sale of tobacco products in conjunction with a gas station, convenience store and auto mechanic shop in a C-2 Limited Commercial District. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is based on the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of liquor and tobacco products shall be limited to the interior floor plan Exhibit G approved by Staff.
4. That the sale of packaged liquor shall be limited to five (5) coolers and the area behind the counter.
5. The hours of sale of packaged liquor shall be limited to 6:00 A.M. to 10:00 P.M. Monday through Saturday and 9:00 A.M. to 10:00 P.M. on Sunday.
6. There shall be no single serving sales of beer or wine in volumes of 16 oz. or less.
7. The sale of rose tubes, airplane-sizes bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
8. The windows shall not be covered with bars or other devices that block the window.
9. The sale of water pipes and "huka" or "hookah" pipes are prohibited.

10. Window display signage is limited to 20% of window area.
11. Must replace the section of vinyl fencing in disrepair.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinances fines must be paid prior to issuance of the license.
14. All conditions must be met prior to issuance of liquor license.

With no further business to come before the Board, the meeting was adjourned at 7:36 PM.

Respectfully submitted,
Darius Morrow, Land Use Planner
Liquor & Tobacco Advisory Board